GOVERNMENT OF INDIA
SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA

STARRED QUESTION NO:153
ANSWERED ON:01.08.2001
DISABILITY ACT, 1995
IQBAL AHMED SARADGI;Y.S. VIVEKANANDA REDDY

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether the Disability Act, 1995 was passed by the Parliament five years ago;

(b) if so, the salient features of the Act;

(c) whether it has been reported that the most basic concerns of the disabled-accessibility, education and employment are largely ignored;

(d) if so, the States which have not implemented the basic provisions of this Act;

(e) whether the Government have issued any directives to all the States with regard to the implementation of provisions of the Act; and

(f) if so, the details thereof?

Answer

MINISTER OF STATE OF THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SMT. MANEKA GANDHI)

(a) to (f) A statement is laid on the Table of the House.

Statement referred to in reply to part (a) to (f) of the Lok Sabha Starred Question No.153 for answer on 1.8..2001 put up by S/ Shri Y.S. Vivekananda Reddy and Iqbal Ahmed Saradgi regarding `Disability Act, 1995`.

a) The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 was passed in both the Houses of Parliament in December, 1995.

b) The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act is a comprehensive piece of legislation which, inter alia, provides for both preventive and promotional aspects of rehabilitation like education, employment and vocational training, job reservation, research and manpower development, development of barrier-free environment, rehabilitation for persons with disability, unemployment allowance for the disabled, special insurance scheme for disabled employees and establishment of homes for persons with severe disability etc. The appropriate governments have the responsibility of providing policy framework, institutional mechanisms and suitable schemes for the effective implementation of the provisions of the Act. The Act also provides for grievances redressal mechanism in relation to deprivation of rights of persons with disabilities and non-implementation of related laws, rules regulations, exuecutive order, guidelines, etc.

(c) & (d) : No, Sir. The States/ Union Territory administrations have been implementing programmes for persons with disabilities prior to the Act and have initiated action to implement the various provisions of the Act including those relating to access, education and employment.

(e) & (f): The Act extends to whole of India except the State of Jammu & Kashmir and it is mandatory for the appropriate governments to implement the same. The Ministry of Social Justice & Empowerment, as the nodal Ministry, as also other concerned Central Ministries/ Departments have taken up the matter with the States/ Union Territories and other implementing agencies from time to time for ensuring action in areas relevant to them.